

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ABDUL H. ABDULLAH,

Plaintiff,

24-cv-124 (JGK)

- against -

ORDER

CITY OF NEW YORK, ET AL.,

Defendants.

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JOHN G. KOELTL, District Judge:


The Court has reviewed the Report and Recommendation of Magistrate Judge Moses, dated May 13, 2025, recommending that the defendants' motion to dismiss made pursuant to Federal Rules of Civil Procedure 41(b) and 37(b)(2)(A)(v) be granted and that this case be dismissed without prejudice. The plaintiff objects to the Report primarily on the basis of allegedly newly discovered evidence that he suffers from a vision problem. But this alleged evidence is not newly discovered because it was previously considered and rejected by the Magistrate Judge. Moreover, there is nothing about the plaintiff's alleged vision problem that would have prevented him from responding to the discovery in this case, nor would it have justified his apparent defiance of the Magistrate Judge's orders. Finally, the Court finds that the Magistrate Judge's Report and Recommendation is thorough, well-reasoned, and should be adopted.

Therefore, the Court **adopts** the Report and Recommendation of Magistrate Judge Moses. This case is **dismissed without**

**prejudice** pursuant to Federal Rules of Civil Procedure 41(b) and 37(b)(2)(A)(v). The Clerk is directed to enter judgment dismissing this case without prejudice. The Clerk is also directed to close this case and to close all pending motions. The Clerk is requested to mail a copy of this Order to the pro se plaintiff and to note mailing on the docket.

**SO ORDERED.**

**Dated:** New York, New York  
July 28, 2025

  
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**John G. Koeltl**  
**United States District Judge**